Clause 6, as amended, was added to the Bill.

The Council rose for lunch at 2-14 of the Clock and re-assembled at 3-8 P. M.

NEW MEMBER.

The following new member, co-opted for the purposes of the Nanjanad Vellala Bill, was sworn in:—

Mr. P. S. Marutanayakam Pillai.

LEGISLATION.

THE VILLAGE PANCHAYATS BILL—(*contd.*)

Clauses 7 to 10.

The question that Clauses 7 to 10, as amended by the Select Committee do form part of the Bill, was carried. The clauses were added to the Bill.

Clause 11.

PRESIDENT: I find two or three amendments tabled under Clause 11. I think that the amendment which suggests the entire omission of sub-clauses (*f*) and (*g*) may be moved first.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I do not move the amendments which stand in my name.

The following amendments were not moved:—

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*):

Sub-clause (*b*). Retain the Clause in the original Bill and substitute "eighteen" for "twenty-five."

Sub-clauses (*f*) and (*g*). Omit.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): My amendment is to substitute, for "subjected by a criminal court to any order," the words "bound over by a criminal court to keep the peace or to be of good behaviour."

In clause 11 (*f*), as it exists here, among the disqualifications for membership it is stated that—

> If the person "has been dismissed from Government service, or been convicted of any offence or subjected by a criminal court to any order, such dismissal, conviction or order implying in the opinion of Our Government a defect of character which unfits him to be member of a Panchayat."

These are mentioned as disqualifications for a person to be a member of a Village Panchayat. Now, the expression "subjected by a criminal court to any order" is as wide as the sea. It may include any order, as the expression stands here, say an order by a criminal court that a person do give something for maintenance to his wife and children.

PRESIDENT: It is qualified by a subsequent clause.

MR. P. K. NARAYANA PILLAI (*Amba'apuzha*): Certainly I take that into consideration. It may be in the opinion of some officer of Government quite sufficient to prevent that man being chosen as a

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[Mr. V. Subba Aiyar.]

member on account of his inability to support his wife and children and there may not be anybody to question the discretion of the Government in that respect. I am not prepared to trust the Government to that extent. (*Laughter.*) I therefore want to indicate clearly the sort of criminal orders that disqualify a person from becoming a member. The two sorts of orders that one comes across in the Criminal Procedure Code as more or less akin to criminal conviction are the orders with respect to keeping good behaviour and also keeping the peace. Therefore I would restrict the scope of the disqualification by criminal orders to these two particular orders, and urge that a person bound over by a criminal court to keep the peace or to be of good behaviour should alone be disqualified from membership. That is the object with which this amendment is moved.

MR. J. JOHN NIDIRY (*Changanachery cum Minachil*): I second it.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Sir, there is a qualifying clause namely that the order should imply that there has been a defect of character. My friend is not prepared to trust the Government. But I may refer him to the Municipal Regulation which has been in existence for twenty-five years and to the rules of this House which contain exactly the same words and I do not think that my friend will be in a position to point out a single instance in which the Government abused their right and said that a person who refused to maintain his wife was guilty of a defect of character and as such should be declared unfit. In legislation, there is such a thing as uniformity of language to be kept in view as far as possible, and therefore when we had put in certain words in the Municipal Regulation, and when we adopted the very same words in the Legislative Council Rules, I thought it better to keep the very same wording here also.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Did this Council use that language in the Legislative Council Rules and in the Municipal Regulation?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): The Municipal Regulation was passed by the Legislative Council.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Not passed by this Council, I suppose.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Not by this Council. I do not think that, because a Regulation is not passed by this Council, it cannot be said to be law. The Municipal Regulation has been administered for the last twenty-five years and I believe that Government had that power and did not abuse that power, so that, that is sufficient guarantee. There should be a defect of character which the Government can infer from the order of a Magistrate. Although the nature of the orders in the Criminal Procedure Code is sought to be restricted I think it will be better to put it in that way for the sake of uniformity of language also. I am not therefore prepared to accept the amendment.

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Mr. P. K. NARAYANA PILLAI (*Ambalapuzha*): I am sorry I cannot see eye to eye with my learned friend Mr. Subba Aiyar who simply argues on analogies which have no bearing on the present instance. He quoted two instances, one from the Municipal Regulation which was a measure passed by the Legislative Council with a preponderant official majority, and the other, the rules enacted by the Government without the assistance of any consultative body. These two cannot hold good.

He had nothing to say with respect to the unnecessary vagueness of the expression that is used here. Mr. Subba Aiyar now assures us that the Government may be trusted in this particular aspect. Why further precision cannot be introduced in the language is not clear. If the Government do not want to travel beyond these two sorts of orders, they may say at once that they are prepared to confine themselves to such orders in the matter of disqualifying persons from membership. If there was any other sort of order according to my friend that would disqualify a person from becoming a member of a Village Panchayat, he would have quoted such an instance. It is therefore extremely difficult to believe that there is any necessity to enact a provision in such broad and vague language. I therefore press the amendment to a division.

Mr. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I have nothing more to add.

The amendment that in sub-clause (1) (f), line 2, the words "bound over by a criminal court to keep the peace or to be of good behaviour" be substituted for the words "subjected by a Criminal Court to any order," was put to the vote of the House and declared lost, 18 voting *for* and 20 voting *against*.

Mr. P. K. NARAYANA PILLAI (*Ambalapuzha*): I demand a poll.

A poll was taken with the following result :—

AYES—18.

1. Mr. T. M. Chidambaratanu Pillai	10 Mr. M. R. Madhava Variar
2. ,, Paul V. Daniel	11. ,, P. K. Narayana Pillai
3. ,, A. Govinda Menon	12. ,, J. John Nidiry
4. ,, S. Krishna Aiyar	13. ,, M. N. Pillai
5. ,, N. Kumaran	14. ,, N. Ramakrishna Pillai
6. ,, T. Kumara Pillai	15. ,, C. Sankara Menon
7. ,, V. Kunjukrishna Pillai	16. ,, S. Subrahmanya Karayalar
8. The Rev. Fr. Kuriakose Vettikkapalli	17. ,, P. T. Thomas
9. ,, T. Lakshmana Pillai	18. ,, K. Dominic Tom man

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[Rao Bahadur K. A. Krishna Aiyangar.]

NOES—20.

1. Mr. I. C. Chacko
2. ,, R. Dhanukoti Pillai
3. ,, K. George
4. Rao Bahadur K. A. Krishna Aiyangar
5. Mr. R. Krishna Pillai
6. ,, W. H. Pitt
7. ,, K. V. Natesa Aiyar
8. ,, Joseph Panjikaran
9. ,, S. Parameswara Aiyar
10. ,, G. Parameswaran Pillai
11. ,, K. Parameswaran Pillai (Ag. Director of Agriculture and Fisheries)
12. Mrs. M. Poonen Lukose
13. Mr. M. Raja Raja Varma
14. Rao Bahadur K. V. Rangaswami Aiyangar
15. Mr. S. C. H. Robinson
16. ,, J. Stephenson
17. ,, V. Subba Aiyar
18. ,, A. J. Van Ross
19. ,, Trivikramar Vasudevar
20. ,, T. K. Velu Pillai

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): I demand a poll as regards the neutrals.

The following stood neutral :—

NEUTRALS—5.

1. Mr. C. P. Kochukunju Pillai
2. ,, K. C. Mammen Mappillai
3. ,, N. Padmanabha Pillai
4. ,, K. Parameswaran Pillai (*Tiruvalla*).
5. ,, L. R. Raja Raja Varma.

The amendment was declared lost.

PRESIDENT: It was the intention of the House that an amendment should be moved to Clause 11.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): This is the amendment: " does not reside in the village or ". I will put it as clause (*a*) and re-number the subsequent clauses.

PRESIDENT: The member should not only be a registered holder but should also reside in the village.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): He should reside only on his being elected as a member. Is that so?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Not after election but before election.

MR. N. RAMAKRISHNA PILLAI (*Vaikam cum Ettumanur*): May I suggest the following wording: " who does not ordinarily reside in the village "?

PRESIDENT: I do not think that form is necessary. Residence has been defined very widely.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): I second Mr. Subba Aiyar's amendment.

The amendment was carried.

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The question that Clause 11 as amended form part of the Bill was then put and carried. The clause was added to the Bill.

Clauses 12 to 15.

The question that Clauses 12 to 15 form part of the Bill was then put and carried.

The clauses were added to the Bill.

Clause 16.

PRESIDENT: We will proceed to Clause 16. The first amendment stands in the name of Mr. P. K. Narayana Pillai.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Before Mr. Narayana Pillai moves his amendment, there is a motion of Mr. John Nidiry, to delete the whole of sub-clause (3), Clause 16. That may be considered first.

PRESIDENT: Mr. Nidiry, please move the amendment.

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): I beg to move that sub-clause (3) of Clause 16 be deleted.

Since this is the first attempt at a Village Panchayat legislation, it is our duty to see that the Panchayats should have smooth sailing as far as possible. I think the inclusion of burial grounds and cemeteries and such institutions to which there is a certain amount of religious sentiment attached, is likely to create difficulties and therefore they should not be placed under the control of the Panchayats. At least it is not safe to include them now. I am not quite sure whether the framers of the Bill contemplated that the burial grounds originally existing should be brought under the control of the Panchayats or only the burial grounds that are made in the future.

PRESIDENT: 'Opening' contemplates adding to the existing ones also.

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): Even if they contemplated only the opening of new burial grounds and cemeteries for such people as have not got their own communal or sectional burial grounds, it is not desirable to bring them under the control of the Panchayat; but, if object of the framers is to provide for burial grounds for burying ownerless dead bodies, I may not have much objection.

MR. JOSEPH PANJIKARAN (*Shertallai*): I second the amendment.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Sir, I think there is some misconception. The object of the amendment is that the Village Panchayats should have a control over the burning or burial grounds. If there is a village and if there is no such ground, it is the duty of the Panchayat to provide a ground. It may be necessary or it may not be necessary. If there are existing burial grounds, I do not think the Panchayat has any jurisdiction over them. The obligatory duty of the Panchayat is to open the grounds if none exist or if additional grounds are required. Beyond that I do not think the Panchayats will have anything to do in the matter.

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[Mr. T. K. Velu Pillai.]

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): Is it not safer to make the point clearer?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): This is what the Bill says:

"Subject to such rules as may be prescribed in this behalf, it shall be the duty of the Panchayat, within the limits of the fund at its disposal, to make provision for carrying out the requirements of the village in respect of the following matters:

(3) the opening and maintenance of burning and burial grounds."

It is the duty of the Panchayats to provide for the opening and maintenance of burial grounds.

MR. N. KUMARAN (*Nominated*): Does it not mean control also?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Control in respect of burial grounds which are opened by them. They have nothing to do with the existing grounds. The object of the provision is that there may be villages which may not have any burial grounds; then the Panchayat will have to open a new one.

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): Then it may be said "opened by the Panchayat."

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Yes, opened by them.

PRESIDENT: That amendment will satisfy you?

MR. J. JOHN NIDIRY (*Changanachery* cum *Minachil*): Yes.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): Sir, before that amendment is accepted, I have to speak a few words. I am for the omission of sub-clause (3). Under the Town Improvement Committee Regulation, certain rules were passed and those rules have been modified from time to time. Sometimes, the Town Improvement Committees insisted that dead bodies should be burnt only in compounds which were one acre in extent. Later on, they have modified that rule. In towns, the difficulty with regard to burning grounds sometimes presents itself. In villages, there is no difficulty worth the name.

PRESIDENT: In South Travancore and in Shencottah, where people live together, there may be difficulty.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): Only in South Travancore and certain parts of Shencottah.

PRESIDENT: In towns elsewhere also.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): The Village Panchayat Regulation does not apply to towns.

PRESIDENT: There are certain places in villages which are urban in character.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I do not think outside the municipal towns there is any difficulty with regard to burning grounds.

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MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Why is there no difficulty?

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): Because people have not copied the habits of other countries and insisted upon payment of fees for having corpses buried in their land.

PRESIDENT: On the East Coast, for instance, nobody levies a fee for the use of public burning or burial grounds.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): If the Government are prepared to say that there is difficulty in a particular case because there is a Panchayat, then one can understand the necessity for the provision.

PRESIDENT: I have already stated that the difficulty exists. I myself saw in Nagercoil a burial ground in the centre of the town.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): That is one point. The second point is that the Panchayat will have to utilise a portion of the village fund for that purpose. There are communities such as the Christians who may not agree to take advantage of these grounds, because their dead bodies have to be buried within the premises of or near the Churches in consecrated grounds. So, certain communities will not get the advantage of this ground. All the same, they will have to contribute money for the maintenance of these grounds. I think that is a wrong thing to do. Making people pay for the maintenance of the institutions which confer no advantage upon them is wrong in principle. Again, these Panchayatdars may take it into their heads to pass certain rules which are obnoxious to certain sections of the community. The Panchayatdars may look upon that in a rational manner. But there is so much superstition that people may not be willing to submit to them, especially when the non-existence of burial grounds and burning ghauts are not causing any very serious inconvenience. So the principle of spending funds on these grounds, a portion of which is contributed by people who have advantage to gain,—that is wrong. Religious susceptibilities, habits and superstitions will be wounded if rules are passed by a particular Panchayat that certain things should be done. On that ground, I am for the deletion of the sub-clause.

MR. A. HOOGEWERF (*Nominated*): There is much point in what both Mr. Nidiry and Mr. Velu Pillai have said. As a rule, burial grounds are attached to Churches and the parish priests alone have a control over such grounds in regard to their maintenance, levying fees and so on. I think it would lead to a lot of complication if the Panchayats should poke their nose into the administration of the parish. If there is no burial ground close to a new church that may be built, the Panchayat may be asked to select such a place. But when a parish church has a burial ground of its own, interference by another body but the parish priest and the diocesean bishop will be very much objected to. This is a point which has to be considered in connection with this amendment.

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[Rao Bahadur K. A. Krishna Aiyangar.]

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Sir, I beg to support the provision as it exists in the Bill and I oppose the amendment of my friend Mr. Nidiry. The two grounds that have been alleged as necessitating the amendment, as I gathered from my friends, are that equal advantages will not be taken by all communities and people with respect to these burial grounds that may be opened and that there are religious considerations standing in the way of these burial grounds being placed under the villagers. On the ground that equal advantages will not result to all people or that people will not take equal advantage of institutions in a Panchayat, it may be urged by a paralytic patient that he has not been using the roads in a village to the same extent as other people and so he should not be compelled to contribute for the roads as other people. If that is an argument, this is also an argument. As a civilised body or a body claiming to be civilised, if the village council has no authority for the burning or burial of dead bodies which may be found within the precincts of the village, this piece of legislation with be hardly regarded as an acceptable piece of legislation. Occasionally there may be persons within the village who have no relations or other who may bury their corpses within the village. Then there is an obligatory necessity on the part of the Village Panchayat to see that the corpses of such persons are buried or burnt in some specified portion of the village in such a way as not to spread contagion or cause trouble to the rest of the villagers. It is mainly to meet cases of such description that this particular provision is included in the Bill. It is not in the contemplation of the framers of this Bill—neither do they want it to be enforced—that all persons must necessarily be cremated or buried in one and the same village burial ground. If our Christian friends are particular that their dead bodies should be buried only in consecreated grounds, they can do so. But, for the cleanliness and the sanitation of the village, a provision has to be made in the Village Panchayat Regulation. If it does not make any provision for burial grounds, I am submitting that it will be a serious defect in a legislation passed by the Council. This Council will have to consider it in that light.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): Will he agree to this form; "making arrangement for the burning or burial of dead bodies; etc. "?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Suppose a poor person has no place wherein to bury his relation?

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): That may be specified.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Unless he puts forward a specific proposition, how can I accept it?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): I rise to remove a possible misconception on the part of Mr. Nidiry. While he recognises the desirability of the Panchayats making provision for burial and burning grounds his apprehension is that they would in some way have control over those attached to the

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churches and mosques. Certainly not. It is a question of the Panchayats being directed to open and maintain burial and burning grounds where there are no such grounds brought into existence either by a community like the Christians or the Mahomedans. The burning ground or the burial ground must certainly form an essential part of the village sanitation in every locality. It is certainly undesirable that people should be allowed to bury or burn dead bodies promiscuously in all parts of the town. Time there was when people were allowed to bury or burn their dead in their own compounds, but, later on, hygienic conceptions had condemned it and it was thought undesirable in the interests of those who were living in the compound to have the dead bodies burnt or buried in the *tarawad* house. Well, this does not interfere with the right of the people to have their own burning or burial grounds. There may be people who may not have a *tarwad* compound in the locality. What are we to do in such cases? There should be a common ground for the purpose. If he is a helpless Christian, probably the Christian parish priest goes and removes him. If he is a Mahomedan, Mohammadans may take charge of him. There may be cases in which there is none to take charge of the dead bodies. Such unclaimed dead bodies should be disposed of on a common ground belonging to the Village Panchayat. By no stretch of imagination can it be said that it is intended to apply to burning or burial grounds belonging to other parties. The Panchayat cannot claim ownership over the burial grounds of Christians. What is contemplated is the control of the burial and burning grounds in properties which would be vested in the Village Panchayat. It is certainly desirable to provide for such cases.

MR. A. HOOGEWERF (*Nominated*): Suppose the head of a church or a mosque says: "We do not want any interference; we will manage our own affairs". Is it punishable?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): The Panchayat would not interfere. In places where there is no place for dead bodies to be buried, it is the duty of the Panchayat to provide a place where such dead bodies could be buried. According to the usage and custom of the community to which the deceased belongs the unclaimed bodies have to be disposed of. At present in Municipalities, the existing burial grounds, which are not vested in are not interfered with by the Municipalities, though license is required to be taken just to see that the premises are kept in a sanitary condition. But even that is not proposed now in this Bill. What is required is not to guarantee that all the burial grounds are kept in a sanitary condition but to open and maintain them wherever they may be necessary. I do not think there is any basis for apprehension. If, as my friend Mr. Nidiry suggested, it would make the position clear if we say "for opening burial grounds and burning grounds and maintaining them," that could be done.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry North*): If the power given to open and maintain burial grounds is not meant to cover the prohibition of the opening of cemeteries or any

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[Mr. K. Parmesvaran Pillai.]

order that an existing cemetry should be closed on sanitary grounds, I for one would not object to this clause. There are thousands of landless people in Kuttanad, known as Pulayas, who have no burial grounds. They are generally burying their dead bodies upon the narrow bunds of paddy fields. But during the monsoons they do not know where to bury their dead. Often they have to throw dead bodies into rivers and canals. We hear of periodical outbreaks of cholera and small-pox and dysentery in Kuttanad. This is very largely due to the river being made the receptacle of these dead bodies. It is therefore desirable that these local bodies should be charged with the duty of opening and maintaining burial and burning grounds for such classes of people. As a Christian, I would not object to any contribution from Christians being used for the provision and for the maintenance of these burial or burning grounds for other communities. I have not the least objection to it. On the other hand, I should consider it a privilege that my contribution should be utilised for them. But my fear is that there may be local jealousies and petty persecutions and factions influencing Village Panchayats which, on grounds other than sanitary, may close existing cemeteries or prevent the opening of new cemeteries by those who are in a position to do so.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): May I request him to show any portion of the statute which gives the Panchayat the power of interference with these places not opened by them?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): I am not a lawyer, I want only an assurance from the Law Member that there will be no interference, as it is beyond my ken.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): The Bill does not contemplate any such thing.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): That is the only point on which I want an assurance.

MR. PAUL V. DANIEL (*Agastisvaram*): The difficulty which Christians and Mahomedans may have to experience may be removed by means of the verbal changes which have been suggested. In the southern villages, I find that, in the case of Christian congregations and churches, and Mahomedans, there will be no difficulty as to burning or burial grounds. But in the case of Hindu communities, there is already a provision to open burial grounds with the funds which they collect from the villagers; and so if there is no provision in this Bill as to the opening and maintaining of burial and burning grounds, such communities will be put to difficulty, because they will have to subscribe money for the Village Panchayat Fund and will not be able to open burial and burning grounds without getting more money from the villagers.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): I oppose the amendment brought forward by Mr. Nidiry. The responsibility for the sanitation of the village carries with it the right of opening and

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maintaining burning and burial grounds. The necessity for such burial and burning grounds in villages has been doubted by some of my friends like Mr. T. K. Velu Pillai. In several villages in North Travancore people live huddled together even more than in some parts of Trivandrum. Take, for instance, the coast line of Karunagapalli and Kartikapalli and also some parts of the Tiruvalla taluk. Probably Karunagapalli and Kartikapalli are not well known to Mr. Velu Pillai. I may draw his attention to a place in the Tiruvalla taluk which I have the honour to represent, namely Melpra, which he himself might have seen. I do not think there is a single house with premises extending more than a few cents of land. It is certainly not sanitary that people should be allowed to burn cropses in their own garden in such congested areas. It is therefore absolutely necessary that every village in these places must have power to open and maintain burning and burial grounds for the enforcement of sanitation. Hence I think the Panchayats should be empowered to open within the villages burning and burial grounds. Of course fear is expressed that certain communities may not be able to get the benefit of the burial grounds while they have to meet the cost of opening them. But that is no argument, because even so far as the Government Institutions are concerned there are various institutions which are not and could not be taken advantage of by all classes of people. At the same time they have to pay for the existence of such institutions. Take, for instance, this Jubilee Town Hall with its electric punkas and its electric lights; it is not made use of by one per cent. of the people, but all classes have to contribute towards its construction and towards its maintenance. For certain amenities we have to contribute. It may be that certain people are not able to take advantage of such institutions; but that is no reason, as I said, why they should not contribute for their maintenance. Hence I am for retaining the provision as it exists, and I oppose the amendments.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): Is he of opinion that people in particular localities should not be allowed to burn dead bodies in their own compound?

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Yes.

PRESIDENT: That privilege is given and not intended to be withdrawn. After all these explanations, are you prepared to withdraw your amendment, Mr. Nidiry?

MR. J. JOHN NIDIRY (*Changanachery cum Minachil*): My object in bringing this amendment was to exclude the existing and private burial grounds. I have no quarrel if the Panchayats make their own burial grounds for the sake of those who have not got their own grounds. I want to make the provision safe for the landless class. My only fear was that the wording of the sub-clause as it is is not clear. If the learned Law Member would agree to the wording of the clause being altered as "opening of burial and burning grounds and the maintenance of grounds so opened", I would have no objection.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Yes.

MR. J. JOHN NIDIRY (*Changanachery cum Minachil*): Then, I withdraw my amendment.

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[President.]

PRESIDENT: Sub-clause (3) as amended would be :—

"the opening of burial and burning grounds and the maintenance of grounds so opened."

Sub-clause 3 as amended was accepted.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): My next amendment is to substitute in sub-clause (3) the words "grounds for burial and cremation" for "burial and burning grounds." This is purely a verbal change and I do not think there will be any objection in accepting it.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I cannot accept it for this reason, that I am always particular about uniformity of language. The same expression occurs in the Municipal Regulation.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): If, as my friend says, there is already another legislation authorising this expression, then I withdraw.

The amendment was accordingly withdrawn.

MR. C. SANKARA MENON (*Quilon*): I move that the following be added as sub-clause (7) :—

"registration of births and deaths".

I need hardly point out that this is the most important item in the work of the Village Panchayat. It is essential and necessary for various purposes to keep an accurate record of the births and deaths in the village—even for carrying out some of the obligatory duties such as vaccination. In the Municipal Regulation, this is provided for as a compulsory duty. It appears to me that this is no less important than the other obligatory duties imposed upon the Panchayat and the agency employed for the purpose will be much better than the agency now used for the collection of these statistics.

MR. N. RAMAKRISHNA PILLAI (*Vaikam cum Ettumanur*): I second the amendment. I think that this duty should also be cast on the Village Panchayats.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): The Government will be very glad to be relieved of this work if the House is of opinion that the Village Panchayats should take it up.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): I oppose the amendment, for there is already legislation on the subject and there is a statutory agency created for the purpose. It cannot be disregarded.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): The clause says that "subject to such rules as may be prescribed in this behalf it shall be the duty of the Panchayat—".

PRESIDENT: I think it is a very desirable thing that the Village Panchayat should have control over the registration of births and deaths.

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RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*) : Clause 17 (2) reads as follows :—

"Subject to such rules as may be prescribed in this behalf, the Panchayat may, and if directed by Our Government shall, within the limits of the fund at its disposal, make provision for carrying out the requirements of the village in respect of any or all of the following matters : "

Certainly, registration of vital statistics cannot be brought in on the very same basis. Clause 17 enumerates discretionary duties. It is undesirable to saddle these Village Panchayats at the outset of their career with a number of compulsory duties which, from the nature of their limited finance, they will be unable to discharge. There is no use in condemning them that they do not discharge primary duties, without realising the limitations under which they have to work.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*) ; May I know whether the duty is a costly one ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*) : It means the maintenance of a clerk or two and that may cost Rs. 150 at least in a year, and I do not think that the Panchayats would be in a position to incur any such expenditure.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : May I know whether Mr. Krishna Aiyangar is in favour of enabling a Panchayat to punish persons if they do not give information in regard to births and deaths ?

MR. C. SANKARA MENON (*Quilon*) : If this is not properly carried out, if there are not proper records of births and deaths, it will even be difficult to carry on the other obligatory duties.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*) : Without records of births and deaths, they could be carried on.

MR. A. GOVINDA MENON (*Alangad* cum *Parur*) : Sir, I do not think that the arguments advanced against including the recording of births and deaths as a compulsory duty of the Panchayat are quite sound. Even in municipalities, according to a G. O., vaccinators are made registration officers for births and deaths. The municipalities were asked as far as possible not to have separate registrars of births and deaths.

PRESIDENT : It was only a suggestion.

MR. A. GOVINDA MENON (*Alangad* cum *Parur*) : Anyhow it has been carried out in most of the municipalities. If we have a vaccinator, it will not be difficult for the Panchayat to ask him to keep also the register of births and deaths. Now it is being done by some Proverticars more or less in a cursory manner, and therefore no reliance can actually be placed on those records.

PRESIDENT : Government may utilise the agency of the Village Panchayats later on to check the registers which are being maintained the Village Proverticars.

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[Mr. T. K. Velu Pillai.]

MR. A. GOVINDA MENON (*Alangad* cum *Parur*): What I am submitting is that the Village Panchayat will be a valuable institution to exercise a very effective control as regards the registration of births and deaths.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): If it is made obligatory that people should notify the Panchayat authorities about births and deaths, I am of opinion that it will work great hardship on the people. I presume that there will be only one panchayatdar for each *pakuthi* and some *pakuthies* are nearly ten square miles in area and the means of communication in most of them is very scanty. But if it is laid down that the Panchayat authorities may send out their own agents and collect the information, it will not much matter. If the obligation is laid on the villagers, it will give room for the petty officers of the Panchayat to persecute people who are less advanced and self-retained than the people in towns. For all these reasons I would urge that, if at all, the Panchayats should have the right of collecting only through their own agents any information which they may require regarding births and deaths.

MR. C. SANKARA MENON (*Quilon*): All these may be provided in the rules that have to be framed.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): The principle that must be laid down is that it should not be made obligatory on the part of the people to give the information to Panchayat authorities. This matter is made clear. I see no objection to the provision.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I am in favour of Mr. Sankara Menon's amendment. In the list of obligatory duties, there are various duties of an important nature which a Panchayat is enjoined to perform and the collection of the statistics is comparatively an unimportant matter and a less difficult affair. If, in this section, are paraded various important duties the Panchayats have to perform and if from that list the collection of vital statistics is omitted, one will be tempted to doubt why this Regulation was enacted at all and why these Panchayats were created. I am certainly alive to the position that there is a statutory duty on certain officers to collect information and a statutory duty on persons to give the necessary information regarding births and deaths. But it would be better if a Panchayat composed of persons from different localities in the same village were asked to collect information because they might be able to put their heads and find out whether in a particular portion one man did not die of small-pox or in another locality a child-birth did not take place. The *Provertical's* authority will be attenuated when the Panchayat Regulation comes into operation. There is something inconsistent in the nature if, in spite of the duties enjoined upon the Panchayat, this comparatively unimportant duty is still performed by an officer of the Government. If the records of the

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Panchayat office fail to show such statistics under the present arrangement, if the Panchayats are not made responsible, they will have to act upon the information which may be collected by the *Proverticars*. That, indeed, I think, Sir, is derogatory to the position and prestige of the Panchayat and the body we are now creating will not be useful if this necessary duty is taken away from it and given to other officers to perform. Therefore I am very glad to support the amendment of Mr. Sankara Menon.

MR. C. SANKARA MENON (*Quilon*): The only objection that was raised against this amendment was that the finances of the Panchayat would not be able to make provision for these duties. This duty, as I have already submitted, is no less important. For the due performance of other duties, this is even absolutely necessary. Therefore, even if they have no funds to provide for other things, a Panchayat will have to bear expenses in connection with this because the collection of statistics regarding births and deaths is absolutely necessary for the performance of its other functions.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): May I know whether the collection of statistics by the Panchayats is intended for their own use or whether they are to supersede the statutory bodies now created or in addition to the existing bodies?

MR. C. SANKARA MENON (*Quilon*): It is for their own use.

There are so many other duties imposed upon the Panchayat and they too are to some extent performed by other bodies even now. There is the Sanitary Department which does the duty of vaccination that is now being imposed upon the Village Panchayat. The only other objection that came from Mr. Mammen Mappillai was that penalties would be imposed upon individuals for not giving the information. They are all matters which ought to be provided for in the rules. That does not in any way affect the necessity of having statistics regarding births and deaths.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): May I know from Mr. Sankara Menon whether he considers registration of births and deaths more important than the duties mentioned in Clause 16 of the Bill?

MR. C. SANKARA MENON (*Quilon*): Certainly I consider a correct record of the births and deaths to be equally important, if not more.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know from Mr. Sankara Menon whether he could not trust to a more permanent body than the Village Panchayat which is more or less of a fluctuating character for the purpose of keeping registers of births and deaths?

MR. C. SANKARA MENON (*Quilon*): I would certainly trust the Village Panchayat more than the present official agency.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether the Panchayat is a permanent agency?

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[Mr. V. Subb Aiyar.]

MR. C. SANKARA MENON (*Quilon*): It is a permanent agency, being a corporate body.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I have got a word to say on this amendment. The fact that there is the Registration of Births and Deaths Regulation need not deter us from imposing this additional duty upon the Village Panchayat, because the Regulation will come into force only in notified areas. Even if areas are once notified, it is open to the Government to withdraw the notification or appoint officers of Panchayats as Registrars under the Regulation. So the solution is very easy. Personally, I am prepared to accept the amendment.

PRESIDENT: What do you say with regard to making it discretionary? It seems to me that it should be discretionary. If any Panchayat has money at its disposal, it is welcome to undertake this function. It is proposed by Mr. Sankara Menon to make it obligatory now.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether corporate bodies can be made registrars under the Regulation?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): No. Only a particular officer. The duty of registering would be done by the officers of the Panchayats.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): It is the question of money.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Of course, the Government are contributing two-thirds of the budgeted amount. I do not think there is any difficulty if the House is prepared to accept the amendment.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): May I know whether he is prepared to accept the amendment, even if the existing bodies are maintained?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): If the Panchayats take up this duty, Government bodies will be withdrawn.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): That is the only condition on which you will accept the amendment?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not see the necessity for having two agencies for this purpose in the same area.

PRESIDENT: In other words, you want to make it discretionary.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): If it is obligatory, Government may withdraw any area from the operation of the Vital Statistics Regulation.

MR. T. LAKSHMANA PILLAI (*Nominated*): May I know whether any additional staff is necessary?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): For every additional work, additional staff is necessary. The Panchayat is collecting money and Government are contributing a portion.

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MR. M. R. MADHAVA VARIAR (*Chengannur cum Pattanamtitta*): May I know whether it is obligatory on the Panchayats to have registration of births and deaths?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): If it is made obligatory, it should.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know whether it would not be desirable to include it only as a discretionary function?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I have no objection to put it like that. It can be one of the optional duties proposed to be imposed. I have no objection to its being made discretionary.

PRESIDENT: Do you accept the amendment?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I have absolutely no objection to accept the amendment. But, so far as the duties are concerned, I may say that it need not be included either under obligatory or discretionary functions, because there is a separate Section, *i. e.*, Section 20, which says that, subject to such rules as may be prescribed, the Government may authorise any Panchayat to exercise any power or discharge any function other than those specified in Sections 16 to 18.

PRESIDENT: That will be after an understanding is come to with the Panchayat. The Government may entrust the registration of births and deaths to a Panchayat.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): So, under that Section, if the Panchayat is inclined to undertake it—

PRESIDENT: If you have no objection and if the House has no objection, I think both vaccination and registration of births and deaths may be included among the discretionary duties. There will be practical difficulties in the carrying out of these duties if we include them under obligatory duties.

MR. C. SANKARA MENON (*Quilon*): In view of the difference of opinion, I would agree to vaccination and registration of births and deaths being classed among the *discretionary* duties of Panchayats.

PRESIDENT: I think the House has no objection in putting vaccination and the registration of births and deaths under the discretionary functions of Panchayat.

The amendment was, by leave of the House, withdrawn.

PRESIDENT: Sub-clause (6) will be deleted.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I beg to move that the following be added as sub-clause (7) to Clause 16:

"*The improvement of agriculture and agricultural stock and prevention of cattle mortality*".

I beg to move this amendment with a view to include it under obligatory duties instead of discretionary duties as provided for in the Bill.

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[Mr. N. Ramakrishna Pillai.]

The Village Panchayats to be constituted will generally be in areas which are essentially agricultural. We are now practically adopting provisions of similar local bodies outside Travancore. Our villages are dissimilar in character to villages in British India. If the rural population in this country should welcome this measure at all, it should be on account of the facilities afforded to them in the matter of taking the initiative in agricultural improvements such as restoration of tanks, minor irrigation works and such other improvements intimately connected with agriculture. So far as I have been able to ascertain from the inhabitants of my own constituency, they do welcome this measure inasmuch as they will be afforded ample facilities for taking up small works connected with their own—villages, especially those relating to agricultural improvement. As it is provided in the Bill, the people of our villages have, under their control, the cleaning of streets, the construction, maintenance and improvement of wells and tanks for the supply of drinking water to the public, the opening and maintenance of burial and burning grounds, the control and mangement of cattle pounds, etc. These are not as essential to the villagers of most our taluks as facilities for agricultural improvement. It is therefore that I move that this should be classified under the obligatory duties, instead of under the discretionary duties, so that they may forthwith start work in respect of what they consider to be their essential requisites. I therefore move that this clause be also inserted under the obligatory duties of Village Panchayats.

MR. N. PADMANABHA PILLAI (*Karunagapalli*): I second it.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I leave it entirely to the House to decide whether this is to be transferred from the discretionary duties of the Panchayat to the obligatory duties or not.

PRESIDENT: Did you take into consideration the expenditure that will be involved?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): There is no doubt that the expenditure will be rather heavy. If it is made discretionary, the Panchayat will be at liberty to undertake it when it has enough funds for the purpose. I leave it entirely to the House.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether the transfer proposed by the amendment would to that extent lessen the duties pertaining to the Agricultural Department?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not think so.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): May I know from Mr. Subba Aiyar the basis for the classification of the various duties into obligatory and discretionary? Is it based on importance or on necessity?

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MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Only those which are absolutely essential for the welfare of the villagers are put in as obligatory duties.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industries, North*): Sir, I object to this provision being made obligatory, for several reasons. Village Panchayats will be very weak institutions and to saddle them with the duty of looking after the improvement of cattle is to make the whole institution impracticable, top-heavy and unworkable. Of course, there may be villages in which there are enlightened leaders, and in the case of such villages even if we include these duties among the discretionary duties of the Panchayats, there is nothing to prevent such Panchayats from taking them up as obligatory duties. To make it an obligatory duty as regards all the villages, whether they have the capacity or inclination or whether they have the funds, would merely make the scheme absolutely unworkable. Therefore, I am strongly of opinion that it should only be one of the discretionary duties of the Village Panchayat.

MR. J. JOHN NIDIRY (*Changanacherry* cum *Minachil*): I am also of opinion that it is not advisable to impose so many obligatory duties upon the Village Panchayats which we are going to bring into existence. This being an experimental measure, I think we should be very careful in saddling them with such duties as are now undertaken by the agricultural and other responsible departments. Further, I am of opinion that the taxation which is contemplated by this Regulation is a matter about which there is considerable difference of opinion among us.

PRESIDENT: That is not before us just now.

MR. J. JOHN NIDIRY (*Changanacherry* cum *Minachil*): My submission is that the taxation should be as light as possible. We should not therefore impose so many burdens upon them. In view of that aspect also, I should think we must have a humbler beginning.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I am in favour of the amendment for a variety of reasons. My friend Mr. Parameswaran Pillai observed that from his constituency he was able to ascertain that the people welcomed this measure. I have not been able to ascertain the wishes of my constituency because none of them came to me and spoke about this measure. But, all the same, my constituency is not different in kind from that of my friend and I think the information is correct with regard to my constituency also. It was contended that it would be wrong to charge the Village Panchayats, which are weak institutions, with this variety of obligatory duties. This is not the kind of obligation which the Panchayat or the people would resent. I should consider that it is more of a right, more of a pleasure, than of an irksome duty, because when the officers of the Agricultural Department require some improvements being effected, the people of the locality will be prepared to contribute taxes and cesses

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[Mr. T. Kumara Pillai.]

All that they want is that the money should be properly utilised. In this particular matter, they will have the consolation that the money collected from them will be spent in their village itself and not diverted to other purposes. It is not the Government and their officers that collect the taxes and cesses; it is the Panchayatdars themselves. Therefore if the imposition presses heavily upon the people, indirectly the people will be able to control the work of the Panchayat. The Panchayat consists of elected men who will certainly have a feeling of duty. They will also seek re-election, and by the most effective power of the vote, the people will be able to control these Panchayats. There will be no complaints if the funds are utilised, only for proper purposes. On the other hand, the people will be prepared to contribute even more by way of cesses and taxes provided they are benefited by it. There is the Agricultural Department and its officers travelling about the country. These officers will be able to give very good advice to the Panchayat about the manner in which the funds are to be utilised. At present, there is a complaint that minor irrigation works are causing great trouble. In fact I moved a resolution, which was kindly accepted by the Government, on a previous occasion and I may also mention that I have served in the Committee which was appointed to look into the question of minor irrigation on the Trivandrum taluk. Wherever I went, I found that this minor irrigation work was grossly neglected. It is because there was no proper agency to maintain them properly. Now, if these minor irrigation works also are handed over to these Panchayats, such complaints will cease. The money spent upon these irrigation works will not be lost and there will be an incentive for the members of the Panchayat to utilise the funds properly and for the people to contribute liberally towards the improvement of agriculture which is the staple occupation of the people. Agriculture is very much more important than cottage industries, because cottage industries may or may not exist. But once agriculture is not improved, people will have nothing to eat. Primary education, collection of statistics,—all these things may be deferred, but hunger has to be satisfied. If at all this Council is prepared to make any duty obligatory, it will do well to accept this amendment.

MR. T. KUMARA PILLAI (*Eraniel cum Vilavankoil*):

മിസ്റ്റർ പരമേശ്വരൻപിള്ളയുടെ ഭേദഗതിയെ ഞാൻ അനുകൂലിക്കുന്നില്ല. "Agricultural improvements" എന്നുള്ള പദത്തിൽ എതെല്ലാം സംഗതികൾ എന്തെല്ലാം മാതിരിയിൽ ഉൾപ്പെടുമെന്നും ഉൾപ്പെടുത്തുമെന്നും ഇപ്പോൾ നിശ്ചയിക്കാൻ തരമില്ലാത്തതാണ്. ഈ ഭേദഗതിയോടുകൂടി വില്ലേജ് പഞ്ചായത്ത് ബിൽ നിയമമായിതീരുന്നതായാൽ കൃഷിവർദ്ധനയ്ക്കും കൃഷിസൗകര്യങ്ങൾക്കും വേണ്ട കാര്യങ്ങളെപ്പറ്റി ഗവർമ്മെൻറിനോടു ജനങ്ങൾ അപേക്ഷിക്കുമ്പോൾ ഈ ചുമതലകൾ

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വില്ലേജ് പഞ്ചായത്തു റഗുലേഷൻപ്രകാരം നിങ്ങൾ കൈയേറിട്ടുണ്ടെന്നും അതിനാൽ ആ കാര്യങ്ങൾനിങ്ങൾതന്നെ നിർവഹിച്ചുകൊള്ളേണ്ടതാണെന്നുപറഞ്ഞു് ഒഴിയുന്നതിന് ഇടയായിത്തീരുന്നതാണ്. കൃഷി വർദ്ധനയ്ക്ക് അവശ്യം വേണ്ടതായ എല്ലാസംഗതികളും ഗവർണ്മെൻറുതന്നെ കൈയേറ് നടത്താതെ വില്ലേജ് പഞ്ചായത്തുകൾ ഏല്ക്കുകയൊ അവയെ ഏല്പിക്കയൊ ചെയ്യുന്നതായാൽ കൃഷിക്കാരും കൃഷിത്തൊഴിലും ക്ഷയിക്കയല്ലാതെ വൃത്തി ഇല്ലാത്തതാണ്.

മിസ്റ്റർ ജ. പരമേശ്വരൻപിള്ളയുടെ ഭേദഗതിയിൽ മറെറാരു സംഗതിക്കുടെ ഉൾപ്പെടുത്തിയിരിക്കുന്നതു (1) "The improvement of agricultural stock" ആണ്. കൃഷിക്ക് ഏറവും അത്യാവശ്യമായ ഉപകരണങ്ങളിൽ ഒന്നു കന്നുകാലികളാണ്. ഇപ്പോൾ ഏതു വില്ലേജിൽ പോയി നോക്കിയാലും കന്നുകാലികളെ തീറാൻ സ്ഥലങ്ങളൊ അവയെ അഴിച്ചു പുറത്തു വിടാനുള്ള സ്ഥലങ്ങളോ ഇല്ലാതിരിക്കുന്നു. കന്നുകാലികളുടെ മേച്ചിൽസ്ഥലങ്ങളെപ്പററി ശ്രീമൂലം പ്രജാസഭ തുടങ്ങിയ കാലം മുതൽ അതായതു് ൨൦ വർഷങ്ങൾക്കുമുമ്പെ മുതൽ ഗവർണ്മെൻറിനോടു പറഞ്ഞുകൊണ്ടിരിക്കുന്ന ഒരു സംഗതിയാണ്. ഇതിനെപ്പററി ഗവർണ്മെൻറിനോടു് പറഞ്ഞിട്ടുള്ള എല്ലാ അവസരങ്ങളിലും അനുകൂലമായും ആശാജനകമായും ഉള്ള മറുപടികളാണ് തന്നിട്ടുള്ളതു്. ഇതിന് യോജിപ്പായും അനുകൂലമായും ഉള്ള ഏഴുത്തുകുത്തുകൾ ഹജൂർ കച്ചേരിമുതൽ പ്രവൃത്തിക്കച്ചേരിവരെ കിടപ്പുള്ളതുമാണ്. സംഗതികൾ ഇങ്ങിനെയെല്ലാമാണെങ്കിലും ഓരോസ്ഥലങ്ങളിലും കന്നുകാലികളെ മേച്ചുവന്നതും അതിലേക്ക് അനുരൂപമായതുമായ മറു സ്ഥലങ്ങളും അക്കാലം മുതൽ നാളതുവരെ പതിച്ചുകൊടുത്തുവരികയാണ് ചെയ്യുന്നതു് ഇങ്ങനെ വന്നുചേർന്നിട്ടുള്ള സ്ഥിതിയിൽ കന്നുകാലികളുടെ സംരക്ഷണ സംഗതിയിൽ വില്ലേജ പഞ്ചായത്തുകൾക്ക് എന്തു ചെയ്യാൻ സാധിക്കുമെന്നുള്ളതു് ആർക്കും അനുമാനിക്കാവുന്നതാണ്. ഈ മൂലതലകൾ വില്ലേജ് പഞ്ചായത്തുകൾ നടത്തേണ്ട സംഗതിയിൽ നിർബന്ധമാക്കേണ്ടതാണെന്ന് മിസ്റ്റർ പരമേശ്വരൻപിള്ളയെ നിയമസഭയ്ക്ക് അയച്ചിട്ടുള്ള നിയോജകമണ്ഡലത്തിലെ ജനങ്ങൾ താൽപര്യപ്പെടുന്നതായി അദ്ദേഹം പറയുന്നു.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): കൃഷിസംബന്ധമായി ജനങ്ങൾക്കുപകാരമുള്ള വ്യവസ്ഥകൾ ഈ ബില്ലിൽ ഉണ്ടായിരിക്കുന്നതുകൊണ്ട് ഈ ബില്ലിനെ അവർ അനുകൂലിക്കുന്നു എന്നാണു ഞാൻ പറഞ്ഞതു്.

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[Mr. T. Kumara Pillai.]

MR. T. KUMARA PILLAI (*Eraniel* cum *Vilavankod*): ഇങ്ങനെയുള്ള ചുമതലകളെ ഇപ്പോൾതന്നെ വില്ലേജ് പഞ്ചായത്തുകളെ ഭരമേല്പിക്കുന്നതായാൽ അതിന്റെ ഫലം ദുഷ്ഫാന്തത്തോടുകൂടി പറയാം. തെക്കൻ തിരുവിതാംകൂറിൽ കോതയാർ ജലം കിട്ടുന്ന സ്ഥലങ്ങളിൽ ഇറിഗേഷൻബോർഡുകൾ ഏർപ്പെടുത്തിക്കിട്ടണമെന്ന് അനേകംകാലമായി ഗവർമെന്റിനോട് അപേക്ഷിച്ചുകൊണ്ടിരുന്നതിന്റെ ഫലമായി ആയതു സാധിക്കാൻ ഇടയായി. ഇറിഗേഷൻ ബോർഡുകൾ നടത്തേണ്ടതും ചുമതല വഹിക്കേണ്ടതുമായ കാര്യങ്ങൾ രൂൾസിൽ ക്ലിപ്തപ്പെടുത്തീട്ടുമുണ്ട്. ഇറിഗേഷൻ ബോർഡുകളുടെ ജോലിനടപ്പിന് ആവശ്യമായ ചിലവുകൾക്ക് ഭൂമിയിൽനിന്നും ഏക്കറിന് ഒരു രൂപാവരെ നികുതിചുമത്തിക്കൊള്ളാമെന്നും രൂൾസിൽ അനുവദിച്ചിരിക്കുന്നു. ഇപ്പോൾ ഇറിഗേഷൻ ബ്ലാക്കുബോർഡുകൾ രൂപീകരിച്ചു ജോലികൾ നടത്തിവരുന്നു. അതിൽ ചില ബ്ലാക്ക് ബോർഡുകളിൽനിന്നും പിരിഞ്ഞു കിട്ടാവുന്ന തുകകൊണ്ട് അതുകളിലെ ശമ്പളച്ചിലവുകൾക്ക് മതിയാകാതേയും മറ്റു ചിലതിൽ ശമ്പളചിലവുകൾ മാത്രം സാധിച്ചു കിട്ടുകയും ചെയ്യുന്നു. ഇതിനാൽ വന്നിരിക്കുന്നതു കൃഷിക്കാരിൽനിന്നു കൂട്ടുതൽ നികുതി പിരിച്ചു അവരുടെ ഗുണത്തിനുവേണ്ടി യാതൊന്നും ചിലവാക്കാൻ സൌകര്യമില്ലാതെ കുറെ ആളുകൾക്ക ഉദ്യോഗം കൊടുക്കാൻ സാധിച്ചു എന്നു മാത്രമാണ്. ഇറിഗേഷൻ ബോർഡുകൾ ഏർപ്പെടുത്തിയതിൽ പിന്നീട് മുമ്പു ഇറിഗേഷൻ വകുപ്പിൽനിന്നും നടത്തിപ്പോന്നിരുന്നതായ പലേ ജോലികളും ഇറിഗേഷൻബോർഡിൽനിന്നും നടത്തികൊള്ളുണ്ടതാണെന്നു അവർ സമാധാനം പറഞ്ഞൊഴിയുന്നു. അതുപോലെ വില്ലേജ് പഞ്ചായത്തുകൾ നിർബന്ധമായി കൈയേറ്റു നടത്തേണ്ടതായ ജോലികളെ വർദ്ധിപ്പിക്കുന്നതായാൽ അതിനു അനുരൂപമായി അവിടത്തെ ജനങ്ങളിൽ കൂട്ടുതലായ നികുതിഭാരം ചുമത്തേണ്ടതായി വരുന്നതാണ്. അതിലേക്കു കൂട്ടുതലായ സിൽബന്ധികൾ വേണ്ടിവരും. അങ്ങനെ വരുമ്പോൾ ജനങ്ങളിൽനിന്നും പിരിച്ചെടുക്കുന്ന പണത്തിന്റെ ഭൂരിപക്ഷവും ശമ്പളച്ചിലവുകൾക്കായി വിനിയോഗിക്കേണ്ടിവരുന്നതാണ് ഇപ്പോൾതന്നെ ഭൂനികുതിയെപ്പറ്റി നോക്കുന്നതായാൽ ഈ രാജ്യത്ത് ഓരോ സ്ഥലങ്ങളിലേയും ജനങ്ങൾക്കുള്ള കരങ്ങൾക്കു താരതമ്യമില്ലാതിരിക്കുന്നു. തെക്കൻ തിരുവിതാംകൂറിൽ നിലങ്ങളുടെ ശരാശരി കരം എന്നു രൂപായിൽപരം വരുന്നു. തിരുവനന്തപുരം ഡിവിഷണിൽ മുന്നു

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രൂപായിൽ പരം വരുന്നു. കൊല്ലം ഡിവിഷനിൽ രണ്ടുരൂപായിൽപ രം വരുന്നു. കോട്ടയം ഡിവിഷനിൽ ഒരു രൂപായിൽപരം വരുന്നു, വില്ലേജ് പഞ്ചായത്തുകൾ ഏർപ്പെടുത്തുമ്പോൾ കരത്തിന്റെ ഈ ക്രട്ട തൽ കുറവിനെ നോക്കാതെ അവ വഹിക്കേണ്ടതായ ജോലികൾക്കു ആ വശ്യമുള്ള പണത്തിനു യോജിപ്പായ വിധം നികുതികൾ ചുമത്തേ ണ്ടതായി വരുന്നതാണ്. വില്ലേജ് പഞ്ചായത്തുകൾ ഇവിടത്തേക്കു പുതുതായി ഉണ്ടാക്കാൻപോകുന്ന ഒരു സ്ഥാപനമാണ. അവ ശരിയായി നടക്കത്തക്കവണ്ണമുള്ള വ്യവസ്ഥകളാണ് ഇപ്പോൾ ഉണ്ടായിരിക്കേണ്ട തു്. അതിനാൽ നിർബന്ധമായി നടത്തേണ്ട ജോലികളെ കഴിയുന്നതും കുറച്ചുവയ്ക്കേണ്ടതാണ്. ഇമ്പ്രൂവ്മെൻറ് ആഫ് ആഗ്രിക്കൾച്ചർ എന്നു ള്ള പദത്തെക്കുട്ടിച്ചേർത്തു കൃഷിക്കാരാൽ സാധിക്കാത്ത ചുമതലയെ അവ രെ ഭരമേല്പിക്കയും അതിനാൽ ഗവർണ്മെൻറിന്റെ പ്രധാന കടമകളിൽ നിന്നും അവക്ക് ഒഴിഞ്ഞുനില്ക്കാനുള്ള വഴി ഉണ്ടാക്കികൊടുക്കയും ചെ യ്യുന്നത് ഒരിക്കലും ആശാസ്യമായിട്ടുള്ളതല്ലെന്നാണ് എന്റെ അഭിപ്രാ യം.

MR. N. PADMANABHA PILLAI (*Karunagapalli*): ഈ രാജ്യ ത്തെ ജനസംഖ്യയിൽ മിക്കതും കൃഷിക്കാരാണെന്നു് അറിയാമോ?

MR. T. KUMARA PILLAI (*Eraniel* cum *Vilavankod*): അറിയാം.

MR. N. PADMANABHA PILLAI (*Karunagapalli*): പഞ്ചായ ത്തുകൾ പിരിക്കുന്ന നികുതികരത്തെ അനുസരിക്കും എന്നും ഈ ബി ല്ലുകൊണ്ടു കൃഷിക്കാക്കു പ്രത്യേകമായി ആനുകൂല്യങ്ങൾ ഒന്നും സിദ്ധിക്കുന്നി ല്ലെന്നും അറിയാമോ?

MR. T. KUMARA PILLAI (*Eraniel* cum *Vilavankod*): അറിയാം. ഈ രാജ്യത്തുള്ള ജനങ്ങളിൽനിന്നും രണ്ടുകോടിയോളം രൂ പാ ഈടാക്കിവരുന്നു. അതിൽനിന്നും ഉൾനാട്ടിലെ ജനങ്ങൾക്കു് എ ത്രരൂപാ എത്തിലേക്കെല്ലാം ചിലവാക്കിവരുന്നുഎന്നുള്ളത് എനിക്ക് അറി യാവുന്നതുപോലെ എന്റെ സ്നേഹിതൻ മി: പദ്മനാഭപിള്ളയ്ക്കും അറി യാവുന്നതാണ്. "ഇമ്പ്രൂവ്മെൻറ് ആഫ് ആഗ്രിക്കൾച്ചർ" എന്നുള്ള പദം അറേബ്യൻ സമുദ്രംപോലെ വിസ്താരമേറിയതാണ്. കൃഷിവർദ്ധന യ്ക്കും കൃഷിസൌകര്യങ്ങൾക്കുംവേണ്ടി അനവധികാര്യങ്ങൾ ഗവർണ്മെൻറി ൽ നിന്നും ചെയ്തുകൊടുക്കേണ്ടതായ പ്രധാനകടമകളെ ചെയ്തുകൊടുക്കാ തിരിക്കുന്ന ഈ കാലത്ത്, അതിലേക്കായി നിലവിളിക്കൂട്ടികൊണ്ടിരിക്കു

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[Mr. G. Paramesvaran Pillai.]

ന്ന ഈ കാലത്ത്, അതുലേക്ക വീണ്ടും വീണ്ടും ശ്രമിച്ചുകൊണ്ടിരിക്കയല്ലാതെ ആ പ്രമതവകളെ നിർബന്ധമായി കൈയേറുന്നടത്താനുള്ള പട്ടികയിൽ ചേർത്ത് വില്ലേജ് പഞ്ചായത്തുകളെ ഭരമേല്പിക്കുന്നത് അപകടമായിതീരുമെന്നാണ് എനിക്ക അഭിപ്രായമുള്ളത്.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): I also beg to oppose the amendment. The important fact to be borne in mind is that when these institutions are started, we should make it possible for them to function without becoming absolutely unpopular bodies. They are bound to be very unpopular if a number of obligatory duties are thrown on them at the very outset of their career. In order that they may discharge these obligatory duties they would have to raise certain amounts by way of local taxation. If the incidence of taxation at the outset is comparatively light and if they succeed in the administration of the funds so raised and if they gain experience, later on they would be in a position to divert their attention to what they consider to be fairly important needs of the village and begin to appeal to the villagers for further funds to be raised by additional local taxation and approach Government also for enhancement of grant. From the standpoint of the general tax-payer in the State, Sir, the question has to be approached to some extent. When Government guarantee, under the provisions of this Regulation, an amount not less than two-thirds of the total expenditure to be incurred by the Village Panchayats, if this Council throws a lot of compulsory duties on the Panchayats, at the outset Government should not, at a later stage, decline and say: 'We shall not give so much required for the discharge of your obligatory duties; you are bound to meet the expenditure yourself'. If they do not decline, to that extent the general tax payer will have to suffer. The several requirements of a progressive administration will have to be starved. Perhaps the most satisfactory course would therefore be to help the people to gain experience and to tax them lightly at first. Practically in every session in which the budget is discussed, we hear complaints that the country is being heavily taxed.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know from Mr. Krishna Aiyangar whether, under this Regulation, when passed, it will not be obligatory upon the Panchayats to devote what little funds they may raise first towards the obligatory duties and then only towards the discretionary duties?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Exactly. I say, human life is more important than anything else. It is with that principle in view that the compulsory duties of the Panchayats are grouped in Section 16.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know from Mr. Krishna Aiyangar whether the responsibilities of the Sanitary Department will, in any way, be lessened?

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RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): That is a matter of arrangement. When a Panchayat proposes to undertake a particular work of the Sanitary Department, it will be open to the Government to suspend the operation of the Sanitary Department in that particular locality. If my friend thinks that these obligatory duties need not be discharged by the Panchayats because the several departments are functioning throughout the State, because the P. W. D. is functioning in the locality, because the Sanitary Department is functioning there or because the Judicial Department is at work, then what are the duties that the Panchayats have to do? Probably, they have only to spend their money on irrigation works. That is not my conception of the position. And such a good student of local self-government as Mr. Paramesvaran Pillai will not dispute it.

MR. G. PARAMESVARAN PILLAI (*Neyyatlinkara*): May I then take it that the village fund should primarily be devoted for sanitation and other purposes which duties will be correspondingly lessened in course of time from those departments?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Of course, when the country has reached such a perfect stage of local self government, when the people can claim to be entrusted with the freedom of looking after local affairs, Government have to withdraw. Government cannot withdraw its help all at once. It has to extend financial help at the outset, and make it easy for these village institutions to run the show with full knowledge of the actual requirements of the locality. That is the correct conception of local self-government as I have been understanding it. Such local bodies should first of all get a clear idea of the actual requirements of their villages, approach Government for extra financial help, if necessary, and gradually pick up administrative experience in order to lay a sound foundation for the day when they can certainly aspire to be given a greater share in the administration of the country. Problems of real administration have to be learnt in the village. That, I submit, Sir, as I understand it, is one argument advanced in favour of the extension of the scheme of local self-government. I am afraid I have been rather straying from the point at which I was. It is desirable that these institutions should start in favourable circumstances and not be burdened with duties which one may be sure they should not be in a position to discharge unless they were—

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): May I know whether he objects to making this provision obligatory on the ground that people will be over-taxed? Is that the fear?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): As members of the Select Committee, we kept certain definite principles before us as to what are the duties that will help the village generally, and then we analysed these duties and put down as compulsory what we considered as the absolutely essential minimum duties that should be discharged by the Panchayat. It was not the idea

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[Mr. T. K. Velu Pillai]

anybody to curtail the scope of extension of these village institutions so far as they can make village life perfectly happy. Therefore a second class of duties was embodied in Clause 17. The discharge of a service or a duty necessarily implies money. There are two sources from which the Panchayat can derive its funds. One is the Government and the other is the village itself. If you increase the number of obligatory duties, naturally you will have to go in for a much larger amount of expenditure than if the obligatory duties were comparatively fewer in number. You start, and we do not say that you should stop. On the other hand, it was not the idea of any member of the Select Committee or of any member of this Council to say that a village authority should restrict its activities to the obligatory duties mentioned in Section 16. If so, it might be said that this village government is not worth having. Therefore I say that the villagers might be allowed to judge for themselves as to the requirements in other directions which would ensure to them the amenities of modern civilised life. A number of other duties are tacked on to it. Even if you do not put it under the category of compulsory duties, if a particular Village Panchayat is so keen in developing agriculture and cottage industries, and doing all manner of good work, if it is able to stir up the enthusiasm of the villagers and realise the responsibility and is prepared to tax itself, there is nothing to prevent its discharging all the discretionary duties also as if they were obligatory duties. After all, the main question will depend upon the funds. A certain amount of experience also must be gained by these village institutions in handling money and in providing for the immediate requirements. That, I submit, Sir, must be a justification for classifying the duties of these self-governing institutions, whether they are Municipalities or Village Panchayats. That must be the basis. A certain amount of preference must be given to those that would affect village life and health. That comes under the first category. If the Village Panchayats that are to be constituted in Mr. Paramesvaran Pillai's constituency are prepared to undertake this as an obligatory duty there is nothing to prevent them from doing it. So I oppose the amendment.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): May, I know whether he objects to making it obligatory on the ground that if this class is included in that, there will be danger of over-taxation?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): My friend fears that there is some magic in the word over-taxation. There is nothing like that. There is a large demand upon the revenues of the State. So we must learn step by step.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): Am I to take it that Mr. Krishna Aiyangar is not prepared to trust these Village Panchayats with sufficient discretion?

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RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): My friend is crediting them with discretionary powers. There is nothing to prevent them from discharging those duties as if they were obligatory. There is no magic in the words 'obligatory' and 'discretionary'. If a Village Panchayat is so inclined, having made the provision for the obligatory duties, it may provide for any of those duties mentioned in Section 17. There is nobody to interfere with their discretion. Government are not going to stand in their way.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): If there is no magic in the words, why should he object to making it obligatory?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): There is something solid that stands in the way as for instance, finance.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Sir, I am very sorry that I have also to oppose the amendment proposed by my friend. I feel hestitation in adding to the obligatory duties of the Village Panchayats in the initial stages of their existence. Of course, I recognise that the adding to the obligatory duties of the Village Panchayats will be to some extent extending the sphere of self-government. But, at the same time, I fear that the addition of such duties to some extent will weaken the responsibility of the Government in these matters. My fear is strengthened by the readiness with which Mr. Subba Aiyar has been accepting these amendments which throw the responsibility in respect of certain duties upon the Village Panchayat. So long as you throw these duties as obligatory upon the Panchayats, to that extent there is no doubt that the responsibility of the Goverement will be diluted. I am not for weakening the responsibility of the Government in these important matters at the present stage of the Village Panchayat. It has been suggested that the fact that we are imposing a tax upon land carries with it the responsibility of looking after agricultural improvement also. Now it appears to me that there is a fallacy in this argument, because this tax or cess imposed upon the land is not for looking after agricultural improvements but for some particular purpose. For instance, if the needs of primary education are to be satisfied, Government may impose an additional tax or cess upon the land for the extension of education or for poor relief or other things of that kind. And you cannot say that, because you impose it on the land, at least a portion should be utilised for agricultural improvements. I may also take another instance. I am paying a tax upon my motor car. Shall I be justified in asking the Trivandrum Municipality pay a portion of the cost of maintaining and repairing my motor car?

MR. N. PADMANABHA PILLAI (*Karunagapalli*): May I know whether he is not using the Trivandrum roads?

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Trivandrum roads are not maintained by the Trivandrum Municipality. They are maintained by the Travancore Government. (*Laughter.*)

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[Mr. G. Parameśvāran Pillai.]

So that, these are only certain sources of revenue and these revenues may be utilised not only for improvement but also for other purposes and this particular taxation is intended for discharging these obligatory duties mentioned in Section 16.

Another reason why I oppose this amendment is, it appears to me, that, however much we speak about the enlightenment of this country, I do not think the Village Panchayat would be in a fit position to undertake these heavy duties. In the first place, they must know what agricultural improvement is. Then they must find adequate funds to complete the scheme and further they must have the machinery to carry out such agricultural improvements. Now it has been suggested that every two-thirds of the expenditure will be contributed by the Government and therefore there is no harm in the Village Panchayat undertaking these duties. But before two-thirds are contributed by the Government, it will have to determine what kinds of agricultural improvements are necessary. Then they will have to budget for the expenditure and further they will have to provide for one-third of the expenditure and then only call upon the Government to contribute two-thirds. All this means a great deal of knowledge, and requires a proper machinery to carry out the scheme. So it appears to me to be very dangerous at the initial stage. Of course, the time will come when we shall gradually transfer the duties of the central Government to the Village Panchayat. But the time has not yet come and we are at the very initial stage; we are only starting the Village Panchayat, after all. Let us see how far they will discharge the functions which have been imposed upon them and which are already made obligatory on them. And then it will be time enough to consider whether other duties should not be extended to the Village Panchayat.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Sir, I am very sorry that there has been a gross misconception in regard to the scope of my amendment. My friends Messrs. Krishna Aiyangar, Paramesvaran Pillai and Kumara Pillai—the last of whom I least expected to take this turn—have practically ignored the very object of my amendment. Village funds are to be constituted primarily out of the land and these Panchayats are intended for the rural population. The village fund should be primarily devoted to certain duties which are hereunder classified as obligatory duties. I say that the most important need for the rural population is agricultural improvement; and whatever little amount they may be able to levy under the powers granted by this Bill, supplemented by whatever Government might give, must be devoted first towards agricultural improvements. The extent of such improvement will certainly be limited by the funds at their disposal. I certainly take very strong exception to the assumption made by Messrs. Krishna Aiyangar and Paramesvaran Pillai that, after the passing of this Bill,

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the responsibility of the Government will in any way be diminished—especially towards sanitation and public health. If that is the assumption, I repudiate it strongly as a representative of the people. It ought to be the endeavour of the representatives of the people to see that the central Government continues to devote as much attention and money as possible towards sanitation, whatever may be the contribution the villages might make in this behalf. The mere fact that the villagers are also taxed would certainly not be any reason for the Government to shirk their responsibility in regard to sanitation and such other matters as are hereunder provided as obligatory. You demand from agriculturists a certain proportion of land revenue. It is land revenue pure and simple. Look at Clause 47 of the Bill, and you will find that the Government *may* direct and the Panchayas *shall* levy a cess on land and that the money so levied as cess shall be devoted to purposes which mainly appertain to the central Government. At the same time I may say that sanitation and public health are the only main obligatory duties that I find there.

MR. T. KUMARA PILLAI (*Eraniel* cum *Vilavankod*): സാനിട്ടറി ഡിപ്പാർട്ടമെൻറുകൊണ്ട് ഉൾനാട്ടിലെ ജനങ്ങൾക്ക് എന്തെങ്കിലും പ്രയോജനമുണ്ടോ?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): ഉൾനാടുകളിൽ അതാതു മുൻസിപ്പാലിറ്റികളല്ലാത്ത സ്ഥലങ്ങളിൽ മാത്രമേ സാനിട്ടറി ഡിപ്പാർട്ടമെൻറു പ്രവർത്തിക്കുന്നുള്ളൂ.

MR. T. KUMARA PILLAI (*Eraniel* cum *Vilavankod*): സാനിട്ടറിഡിപ്പാർട്ടമെൻറിൽനിന്നും ഉൾനാട്ടിലെ ജനങ്ങൾക്കു പ്രയോജനകരമായി എന്തെങ്കിലും ചെയ്തുവരുന്നതിന് ഒരു ദൃഷ്ടാന്തം പറയാമോ?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): വാക്സിനേഷൻ നടത്തുന്നില്ലേ?

So then the main functions that I find allotted in the Village Panchayat Bill as obligatory relate only to sanitation and public health; cattle pounds and burial grounds are comparatively insignificant.

They are no doubt essential and that is why I did not object to those being classified among obligatory duties. Sanitation and public health seem to be the important items under obligatory duties. You should see that the village fund should be primarily utilised towards the improvement of the agricultural population. Mr. Kumara Pillai fears that, when such a thing is done, the Government may shirk their responsibility. That is certainly not so. If you have ten rupees by way of village fund, see that eight rupees go towards agricultural improvement. Thereby Government are not shirking their responsibility on the matter. Because, the statute does not take away the liabilities of Government, there is no fear

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[Mr. V. Subba Aiyar.]

that the Government would be indifferent on the matter. On the other hand, the Government does not cease to function. The point is therefore that when you levy a cess on land and constitute a village fund, you should devote that primarily to agricultural improvement. Whatever remains may be utilised upon burial grounds, etc., and the Government should not certainly run away from the duties and liabilities because upon them rests the primary duty relating to sanitation and public health. If the rural population should welcome this measure at all, then I say whatever be the funds you collect from them, two-thirds of the amount so collected should be spent towards agricultural improvement. If you do not permit them to do so, I say this measure will be certainly a most unpopular one. I may emphatically say that this will become a fruitless measure as the majority of the people of this country are agriculturists. Village life in this country does not render cleansing of streets or vaccination so important as agricultural improvement. If they have got twenty rupees, they must be asked to devote fifteen rupees firstly towards what concerns them most. Therefore my friend Mr. Krishna Aiyangar was not right in having said that the aims of local government would in any way be militated by the body being forthwith given the necessary power. Therefore I say that what concerns the villagers most must first be attended to and that relates to agriculture.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): May I know whether he recognises that this additional duty will require additional taxation?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I am certainly sorry that I have not been correctly understood by my friend Mr. Ramakrishna Pillai when all that I say is that whatever taxation is now imposed upon them should go primarily towards the improvement of agriculture. That is my point throughout.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Do I understand Mr. Paramesvaran Pillai to suggest that the only obligatory duties shall be the improvement of agriculture, and the prevention of cattle mortality, and that all the rest have to be added on under some other category.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I say that it is only *one* of the obligatory duties. I do not want the others to be relegated to the background. I only want that one of the primary duties discharged must be agricultural improvement.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): In the first instance, if such a power is given to the Village Panchayat I fear that it will not able to discharge its function satisfactorily. If the Village Panchayat is in a position to undertake this duty, let it do so. On the other hand, if the Village Panchayat is not in a position to take up any of the discretionary duties, it is at liberty to do so; and personally as I said at the outset I am indifferent if the House is of opinion that this should be made an obligatory duty. But seeing that there is

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a considerable body of opinion opposed to the amendment, namely that it should not be classed as obligatory, I do not want it to be said that the Government wished to back out of their responsibility by not making it discretionary. Further the Village Panchayats have to find the necessary funds for the proper working of their schemes. So far as prevention of cattle mortality is concerned, certainly the Veterinary Department should take up that question. It is only gradually that the Village Panchayat can hope to undertake their onerous duties.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): May I know whether he has seen any of the smaller irrigation tanks?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Ever so many.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): Is he aware that most of them are in a very damaged condition?

PRESIDENT: There is another clause in regard to that.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Certainly.

PRESIDENT: I will now put this amendment to the vote of the House. The amendment is to add as sub-clause (7) the following: "the improvement of agriculture and agricultural stock and prevention of cattle mortality."

The amendment was lost, 14 voting *for* and 28 *against*.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Sir, I demand a poll.

A poll was taken with the following result:—

NOES—29.

1. Mr. I. C. Chacko	16. Mr P. Paramesvaran
2. ,, R. Dhanukoti Pillai	17. ,, K. Dominic Tommau
3. ,, K. George	18. ,, M. R. Madhava Varier
4. ,, R. Krishna Pillai	19. ,, K. C. Mammen Mappillai
5. ,, W. H. Pitt	20. ,, P. K. Narayana Pillai
6. ,, K. V. Natesa Aiyar	21. ,, J. John Nidiry
7. ,, S Paramesvara Aiyar	22. ,, K. Paramesvaran Pillai (Tiruvalla)
8. Mrs. M. Poonen Lukose	23. Rao Bahadur K. A. Krishna Aiyangar
9. Mr. M. Raja Raja Varma	24. Mr. T. Kumara Pillai
10. Rao Bahadur K. V. Rangaswami Aiyangar	25. ,, N. Ramakrishna Pillai
11. Mr. S. C. H. Robinson	26. The Rev. Fr. Kuriakose Vettikkapalli
12. ,, J. Stephenson	27. Mr. T. Lakshmana Pillai
13. ,, V. Subba Aiyar	28. ,, Paul V. Daniel
14. ,, A. J. Van Ross	29. ,, T. M. Chidambaratanu Pillai
15. ,, K. Paravesvaran Pillai (Ag. Director of Agriculture and Fisheries)	

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AYES—14.

1.	Mr.	M. N. Pillai	9.	Mr.	L. R. Raja Raja Varma Koil Tampuran
2.	,,	T. K. Velu Pillai	10	,,	N. Kumaran
3.	,,	P. T. Thomas	11.	,,	V. Kunjukrishna Pillai
4.	,,	S. Subrahmanya Karayalar	12.	,,	John Mackie
5.	,,	C. Sankara Menon	13.	,,	C. P. Kochukunju Pillai
6.	,,	N. Padmanabha Pillai	14.	,,	A. Govinda Menon
7.	,,	G. Paramesvaran Pillai			
8.	,,	Joseph Panjikaran			

The amendment was declared lost.

The Counci adjourned at 5 P. M. to meet again at 11-30 the next day.

S. PARAMESVARA AIYAR,
Secretary to the Legislative Council.

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